

## ABSTRACT

Public Servants – Higher Education Department. – Sri J. Rayappa, District Vocational Education Officer Tirupathi, Chittoor District -Trapped on 05-03-2008– Prosecuted – Convicted by the Special Court for SPE & ACB Cases, Nellore – Punishment of withholding of entire pension and pensionary benefits - Orders – Issued.

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### HIGHER EDUCATION (VC-1) DEPARTMENT

**G.O.Ms.No. 36**

**Dated:28-05-2013.**

**Read the following:-**

1. From the Director General, ACB Lr.No.53/RCT-TCT/2008, dt:14-03-2008.
- 2.From the Director General, ACB Lr.No.53/RCT-TCT/2008,dt:14-08-2008
3. G.O Ms.No.36, Higher Education (VC.II)) Department, dt.09-04-2009
4. G.O Ms.No.37, Higher Education (VC.II)) Department, dt.09-04-2009.
5. G.O Rt.No.330, Higher Education (VC.II)) Department, dt.25-04-2009
- 6 G.O Rt.No.335, Higher Education (VC.II)) Department, dt.28-04-2009
7. From the Director General, ACB Lr.No.53/RCT-TCT/2008, dt:10-09-2009.
8. From the Director General, ACB Lr.No.53/RCT-TCT/2008, dt:17-12-2012

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### ORDER:

Whereas, it was brought to the notice of the Government by the Director General, Anti Corruption Bureau, Hyderabad that Sri J. Rayappa, District Vocational Education Officer and Sri Hari Muralidhar, Office Subordinate, O/o District Vocational Education Officer, Tirupathi, Chittoor District were trapped and arrested on 05-03-2008 while accepting an illegal gratification of an amount of Rs.2,000/- as bribe from the complainant Sri K. Nagaraja Naidu, PTJL, GJC, Pakala. The Commissioner of Intermediate Education, A.P., Hyderabad vide proceedings dated:07-03-2008, has placed Sri J. Rajappa, District Vocational Education Officer under suspension by the Regional Joint Director and directed to place Sri Hari Muralidhar, Office Subordinate under suspension.

2 And whereas, the Director General, Anti Corruption Beauru vide his letter in the Letter 2<sup>nd</sup> read above, has sent final report recommending for prosecution of Sri J. Rajappa, District Vocational Education Officer and Sri Hari Muralidhar, Attender, Office of the District Vocational Education Office, Tirupathi and to initiate departmental action against Sri J. Rajappa as he failed to submit annual property returns. In the G.O's 3<sup>rd</sup> and 4<sup>th</sup> read above, accorded sanction to the Director General, ACB, Hyderabad, for prosecution of the said accused officer and office subordinate before the Court of Law.

3. And whereas, in the G.O's 5<sup>th</sup> and 6<sup>th</sup> read above, Articles of charges were framed against Sri J. Rajappa, District Vocational Education Officer and Sri Hari Muralidhar, Office Subordiante of office of the District Vocational Education Officer, Tirupathi respectively.

4. And whereas in the Letter 7<sup>th</sup> read above, the Director General, Anti Corruption Bureau has informed that on receipt of sanction orders vide G.O.Rt.No.36, dated:09.04.2009 and G.O.Ms.No.37, dated:09.04.2009 charge sheet was filed in the Court of Special Judge for SPE and ACB Cases, Nellore on 31-08-2009 against Sri . J. Rayappa, District Vocational Education Officer, Tirupathi, and on the representation of Sri Hari Muralidhar, Office Subordinate, Office of the District Vocational Education Officer, Tirupathi., Chittoor District has been taken as approver and hence no charge sheet was filed in the Court against him.

5. And whereas, the Director General, Anti Corruption Bureau in his letter 8<sup>th</sup> read above, has informed that the Special Judge for SPE & ACB Cases, Nellore pronounced Judgment on 11-12-2012 in C.C.No.06/2009 convicting the Accused Officer Sri J. Rayappa, District Vocational Educational Officer, Tirupathi, Chittoor District and sentenced him to undergo rigorous imprisonment for a period of three years and to pay a fine of Rs.3,000/- in default, 3 (three) months Simple Imprisonment and he is, further found guilty of a charge under section 13 (2) read with 13 (1) (d) of the Prevention of Corruption Act, convicted and sentenced to undergo rigorous imprisonment for 3 (three) years and also to pay a fine of Rs.3,000/- (Rupees Three Thousand only), in default, 3 (three) months simple imprisonment, under sec. 248 (2) Cr.P.C both the substantive sentences shall run concurrently.

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6. And whereas, as per the proviso under rule-9 of the Andhra Pradesh Civil Services (CC&A) Rules, 1991 in every case in which the charge of acceptance from any person of any gratification other than legal remuneration, as a motive or reward for doing or for bearing to do an official act is established the penalty mentioned in clause (IX or X) shall be imposed. Further as per G.O.Ms.No.2, General Administration (Ser.C) Department, dt.04-01-1999, in all proven cases of misappropriation, corruption, the penalty of dismissal from service shall be imposed. As per the amendment to rule 25 (1) of the Andhra Pradesh Civil Services (CC&A) Rules, 1991 issued vide G.O.Ms.No.240, General Administration (Ser.C) Department, dt.14-8-2003 it shall not be necessary to consult the A.P. Public Service Commission for taking any such action. Sri J. Rayappa, District Vocational Education Officer has retired from service on 31-05-2009 on superannuation.

7. Now, therefore, in exercise of the powers conferred by clause-X of rule-9 read with sub rule (i) of rule 25 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, and G.O.Ms.No.2, General Administration Department, dated:04.01.1999, the Government have decided to impose punishment of withholding of entire pension and gratuity against Sri J. Rayappa, District Vocational Educational Officer under rule 9 of the APRPRS, 1980 in view of the conviction orders passed by the Special Judge of SPE & ACB cases, Nellore.

8. Accordingly, Government hereby impose the punishment of withholding of entire pension and gratuity of Sri J. Rayappa, District Vocational Education Officer, Tirupathi under rule 9 of the APRPRS, 1980.

9. The Commissioner of Intermediate Education, Andhra Pradesh Hyderabad will take necessary further action accordingly

**RAJESHWAR TIWARI**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

**To**

Sri J. Rayappa, District Vocational Educational Officer, Tirupathi, Chittoor District  
through the Commissioner of Intermediate Education, A.P., Hyderabad.

The Commissioner of Intermediate Education, A.P., Hyderabad  
The Director General, Anti Corruption Bureau, Hyderabad

**Copy to**

The District Collector, Chittoor

The Regional Joint Director of Intermediate Education, Chittoor

The P.S to Hon'ble M (SE&IE)

The P.S. to Principal Secretary to Government, Higher Education (S.E) Department

The Secretary to Vigilance Commissioner, A.P. Vigilance Commission, Hyderabad.

The Law (A) Department.

SF / SC.

//FORWARDED BY ORDER//

SECTION OFFICER